
TITLE 312 NATURAL RESOURCES COMMISSION

Emergency Rule
LSA Document #22-391(E)

DIGEST

Temporarily modifies [312 IAC 9-8-2](#) governing the regulation of commercial fishing on the White and Wabash Rivers for commercial fishers harvesting invasive carp through the Indiana Invasive Carp Removal Program (IICRP), and modifies [312 IAC 9-8-6](#) governing the regulation of commercial fishing on the Ohio River for commercial fishers harvesting invasive carp through the Ohio River Asian Carp Removal Program operated in conjunction with the Commonwealth of Kentucky under 301 KAR 1:152. Asian Carp and Scaled Rough Fish Harvest Program. Effective January 18, 2023.

SECTION 1. (a) This SECTION is supplemental to [312 IAC 9-8-2](#) Commercial fishing except on the Ohio River; general provisions.

(b) To qualify, an individual must hold a valid Indiana inland commercial fishing license in good standing and be currently under contract with the Indiana Department of Natural Resources as part of the Indiana Invasive Carp Removal Program.

(c) The exemptions and supplementations identified in this document are for the harvest of invasive carp (otherwise known as Asian Carp, as defined in [312 IAC 9-6-1\(5\)](#)) as part of the Indiana Invasive Carp Removal Program only. All other species must be returned to the water immediately.

(d) An official observer assigned through the Indiana Invasive Carp Removal Program by the State of Indiana shall be present, in the boat, at all times an individual is fishing as authorized by this document.

(e) An individual harvesting invasive carp under this document as part of the Indiana Invasive Carp Removal Program shall comply with all record keeping requirements specified by the Indiana Invasive Carp Removal Program.

(f) An individual harvesting invasive carp under this document as part of the Indiana Invasive Carp Removal Program is exempt from the requirements set forth at:

- (1) [312 IAC 9-8-2\(k\)\(1\)\(B\)](#);**
- (2) [312 IAC 9-8-2\(k\)\(2\)](#);**
- (3) [312 IAC 9-8-2\(k\)\(3\)](#);**
- (4) [312 IAC 9-8-2\(l\)\(2\)](#);**
- (5) [312 IAC 9-8-2\(l\)\(3\)](#).**

(g) An individual harvesting invasive carp under this document as part of the Indiana Invasive Carp Removal Program shall comply with the following requirements:

- (1) No fishing gear may be set or used in a manner that prohibits access of the White or Wabash Rivers and their associated waters by boaters.**
- (2) Fishing gear must be in eye contact of the individual throughout the duration of the set.**
- (3) Fishing gear must be removed immediately upon the completion of each fishing day.**
- (4) All captured invasive carp collected must be killed immediately as per methods described in [312 IAC 9-6-7\(b\)](#).**

SECTION 2. (a) This SECTION is supplemental to [312 IAC 9-8-6](#).

(b) To qualify, an individual must hold a valid commercial fishing license in good standing and be currently under contract with the Commonwealth of Kentucky as part of the Ohio River Asian Carp Removal Program pursuant to 301 KAR 1:152.

(c) The exemptions and supplementations identified in this document are for the harvest of invasive carp as part of the Ohio River Asian Carp Removal Program only. All other species must be returned to the water immediately.

(d) An official observer assigned through the Ohio River Asian Carp Removal Program by the State of Indiana or the Commonwealth of Kentucky shall be present, in the boat, at all times an individual is

fishing as authorized by this document.

(e) An individual harvesting invasive carp under this document as part of the Ohio River Asian Carp Removal Program shall comply with all record keeping requirements specified by the Ohio River Asian Carp Removal Program.

(f) An individual harvesting invasive carp under this document as part of the Ohio River Asian Carp Removal Program is exempt from the requirements set forth at:

- (1) [312 IAC 9-8-6\(h\)\(1, 2 and 3\)](#) [sic, [312 IAC 9-8-6\(h\)\(1\)](#), [312 IAC 9-8-6\(h\)\(2\)](#), and [312 IAC 9-8-6\(h\)\(3\)](#)];
- (2) [312 IAC 9-8-6\(j\)\(3\)\(A\), \(B\), and \(D\)](#) [sic, [312 IAC 9-8-6\(j\)\(3\)\(A\)](#), [312 IAC 9-8-6\(j\)\(3\)\(B\)](#), and [312 IAC 9-8-6\(j\)\(3\)\(D\)](#)];
- (3) [312 IAC 9-8-6\(k\)\(1\) and \(2\)](#) [sic, [312 IAC 9-8-6\(k\)\(1\)](#) and [312 IAC 9-8-6\(k\)\(2\)](#)].

(g) An individual harvesting invasive carp under this document as part of the Ohio River Asian Carp Removal Program shall comply with the following requirements:

- (1) No commercial fishing gear may be set or used in a manner that prohibits access of the Ohio River and its associated waters by boaters.
- (2) Commercial fishing gear must be in eye contact of the individual throughout the duration of the set.
- (3) Commercial fishing gear must be removed immediately upon the completion of each fishing day.
- (4) All captured invasive carp collected must be killed immediately as per methods described in [312 IAC 9-6-7\(b\)](#).

SECTION 3. This document expires on January 18, 2024.

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Filed with Publisher: December 22, 2022, 11:07 a.m.

Posted: 01/04/2023 by Legislative Services Agency

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